

DEC 26 2013

David J. Bradley, Clerk of Court

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONDarla R. Frenny

Plaintiff(s),

v.

Civil Action No. 4: _____

H & R Block Inc., Carmen GaytonKimberly Booster, Brenda Brown

Defendant(s).

COMPLAINT

1. This action is brought by Darla R. Frenny, Plaintiff, pursuant to the following selected jurisdiction:

(Please select the applicable jurisdiction)

- ☒ Title VII of the Civil Rights Act of 1964 (42 USC §§ 2000e et seq.) Employment Discrimination on the basis of race, color, sex (gender, pregnancy and sexual harassment), religion or national origin.
- ☐ The Age Discrimination in Employment Act (29 USC §§ 621 et seq.) (ADEA).
- ☐ The Americans With Disabilities Act (42 USC §§ 12102 et seq.) (ADA).
- ☐ The Equal Pay Act (29 USC § 206(d)) (EPA).
- ☐ The Rehabilitation Act of 1973 (29 USC § 791 et seq.) (Applicable to federal employ only).

2. Defendant H&R Block Inc. (Defendant's name) lives at, or its bus is located at One H&R Block Way (street address), Kansas (city), MO (state), 64105 (zip).

- 3a. Plaintiff sought employment from the defendant or was employed by the defendant at 10100 Beechnut St. (street address), Houston (city), TX (state), 77072 (zip).

- 3b. At all relevant times of claim of discrimination, Defendant employed 5000+ employees. If defendant is a union, at all relevant times of claim of discrimination, Defendant had (#) members.

4. Defendant discriminated against plaintiff in the manner indicated in paragraph 8 of this complaint on or about April (month) 11 (day) 2011 (year). If incidents of discrimination occurred more than one day, please indicate the beginning and ending dates of such acts: February 8- April 13, 2011
5. Plaintiff filed charges against the defendant with the Equal Employment Opportunity Commission (E.E.O.C.) charging defendant with the acts of discrimination indicated in paragraph 7 of this complaint on or about Febuary (month) 8 (day) 2012 (year). (Not applicable to federal civil service employees).
- 6a. The E.E.O.C. issued a Notice of Right to Sue which was received by plaintiff on September (month) 28 (day) 2013 (year). (Not applicable to ADEA and EPA claims or federal civil service employees).

VERY IMPORTANT NOTE:

PLEASE ATTACH A COPY OF YOUR NOTICE OF RIGHT TO SUE AND THE ENVELOPE IN WHICH IT WAS RECEIVED TO THIS COMPLAINT.

- 6b. Please indicate below if the E.E.O.C issued a Determination in your case:

☐ Yes
☒ No

VERY IMPORTANT NOTE:

IF YOU CHECKED "YES", PLEASE ATTACH A COPY OF THE E.E.O.C.'S DETERMINATION TO THIS COMPLAINT

7. Because of plaintiff's:

(Please select the applicable allegation(s))

- ☒ Race (If applicable, state race) Black American
- ☐ Color (If applicable, state color) _____
- ☐ Sex (gender, pregnancy or sexual harassment) (If applicable, state sex and claim) _____
- ☐ Religion (If applicable, state religion) _____
- ☐ National Origin (If applicable, state national origin) _____
- ☐ Age (If applicable, state date of birth) _____
- ☐ Disability (If applicable, state disability) _____

- ☒ Prior complaint of discrimination or opposition to acts of discrimination.
(Retaliation) (If applicable, explain events of retaliation) Assult and wrongful
termination

The defendant: (please select all that apply)

- ☐ failed to employ plaintiff.
☐ terminated plaintiff's employment.
☐ failed to promote plaintiff.
☒ harassed plaintiff.
☐ other (specify) _____

- 8a. State specifically the circumstances under which defendant, its agent, or employees discriminated against plaintiff **PERSONALLY**:

VERY IMPORTANT NOTE: INCLUDE SPECIFIC DATES, SPECIFIC EVENTS,
AND ANY SPECIFIC COMMENTS MADE BY
DEFENDANT PERTAINING TO THE
DISCRIMINATION CLAIM ALLEGED ABOVE.

Read the charge of discrimination and Debra Ann Ross statement that is attached to
this document.

- 8b. List any witnesses who would testify for plaintiff to support plaintiff's allegations and the substance of their testimony:

Debra Ann Ross

- 8c. List any **documentation** that would support plaintiff's allegations and explain what the documents will prove:

Document from Debra Ann Ross, which would explain about the meeting with the
HR manager, Mr. Calvin Hicks (Regional Manager) which I (Darla Frenny) explained
about the complaints and allegations to Mr. Hicks. The assault that was brought against
me (Darla Frenny) after the meeting, that Debra Ann Ross witnessed.

9. The above acts or omissions set forth in paragraphs 7 and 8 are:

- ☒ still being committed by defendant.
☐ no longer being committed by defendant.

10. Plaintiff should attach to this complaint a copy of the charge filed with the Equal Employment Opportunity Commission. This charge is submitted as a brief statement of the facts supporting this complaint.

WHEREFORE, plaintiff prays that the Court grant the following relief to the plaintiff:

- ☐ Defendant be directed to employ plaintiff.
☐ Defendant be directed to re-employ plaintiff.
☐ Defendant be directed to promote plaintiff.
☒ Defendant be directed to _____

_____, and that the Court grant such other relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees.

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

12-23-2013

Date

Marela R. Brenny
Signature of Plaintiff

7811 S. Gessner

Address of Plaintiff

Houston	Texas	77036
City	State	Zip Code

281-266-3727

Telephone Number(s)